

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: KOBAYASHI

Application No.: 10/563,302

Filed: 1/4/2006

Title: ELECTROSTATIC CHUCK FOR SUBSTRATE STAGE, ELECTRODE USED
FOR THE CHUCK, AND TREATING SYSTEM HAVING THE CHUCK AND
ELECTRODE

Art Unit: 2836

Exr.: T. MAI

CONF. No.: 8395

Notice of Appeal filed January 26, 2009

SUBMISSION OF REQUEST FOR RECONSIDERATION WITH
RCE UNDER 37 CFR §1.114
and
STATEMENT OF SUMMARY OF INTERVIEW

MS: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 26, 2009
(Tuesday)

Sir:

Entry of this Request for Reconsideration under the provisions of 37 CFR §1.114 is respectfully requested, noting that this request is filed together with an RCE (Request for Continued Examination) and a Petition for Extension of Time (two-months) following the filing of a Notice of Appeal on January 26, 2009 in response to the Final Office Action mailed July 24, 2008.

Appreciation is expressed to Supervisory Primary Examiner Rex Barnie for his courtesy and helpfulness during an interview conducted on even date herewith. During the interview, Exr. Barnie and the undersigned attorney discussed amending the current claims and/or adding claims that include the interpretation of the current claim language set forth in the Office Action, together with clarifying amendments to

define that the substrate mounting surface and the rod-like electrodes are configured to have the present claimed relationship with a rectangular substrate mounted on the substrate mounting surface. As noted during the interview, this would clarify the claim language in response to the Examiner's objections without losing the claim language that distinguishes over the cited prior art, specifically, the claimed relationship between the rod-like electrodes and a rectangular substrate. In considering this, Examiner Barnie indicated that, in order to determine whether these amendments would distinguish over the cited prior art, it would be necessary to file an RCE (Request for Continued Examination) to permit the further consideration and possible further search required by the amendment. Accordingly, the present RCE has been filed as per Exr. Barnie's indication.

As noted above, applicants are considering the filing of an Amendment with the above-noted changes. In the meantime, reconsideration and removal of the objections to the current claims is respectfully requested. Applicants respectfully submit that the current claimed language is sufficient for one of ordinary skill in the art to understand the features being claimed, specifically, the claimed relationship between rod-like electrodes and a rectangular substrate when it is mounted on the structure. This is no more of a temporary structure than a claim to a fuel injector which includes language as to how the fuel injector will disperse gasoline within a combustion chamber. In both instances, the structure is clear and understandable, and the fact that the structure is described relative to the material which it operates on does not destroy its understandability. Therefore, removal of the claim objection is respectfully requested.


Reconsideration and removal of the prior art rejections, all of which are based on the primary reference to Machida is respectfully requested. The present claims

all define a relationship between the claimed structure of rod-like electrodes and a rectangular substrate when one is mounted on the structure. Machida does not teach structure for mounting rectangular substrates, and, as such, is completely lacking any teaching or suggestions of the claimed relationship between the rod-like electrodes and a rectangular substrate. Therefore, reconsideration and removal of the rejections based on Machida is respectfully requested.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 1113.45730X00), and please credit any excess fees to such deposit account.

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP

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